

Remarks/Arguments

This Amendment has been prepared in response to the Office Action dated September 27, 2005 regarding the above-identified patent application. In that Action, the Examiner rejected all claims in this application under 35 U.S.C § 102(b) as being anticipated by U.S. Patent No. 5,829,716 to Kirkwood et al.

By the present Amendment, which follows a thorough review and study of (a) the Examiner's Action and comments, (b) the cited and applied single prior art reference, and (c) the specification, claims, abstract and drawings in this case, applicant proposes herein certain modest claim changes, by way of current amendments proposed for claims 1 and 4, to provide an enhanced definition of the invention which is very plainly distinguishable in all respects from anything shown or suggested by the single cited and applied prior art reference. Additionally, and while the Examiner has indicated acceptance of the originally filed, semi-formal drawings, applicant submits with this Amendment, via the attached Appendix, three Replacement Drawing Sheets which contain formal drawings that are intended to replace the three Replaced Sheets of originally filed, semi-formal drawings.

In terms of the applicability of the single cited and applied reference to applicant's claims, applicant is frankly quite astonished at the Examiner's position that this reference, Kirkwood et al., U.S. Patent No. 5,829,716, has any relationship whatsoever to applicant's claimed invention. There is simply no logical relationship between the content of this cited and applied prior art reference and applicant's claimed invention.

Applicant's invention involves the attachment, as an end extension, to an end of an

elongate beam, of a beam-attaching end component which is used in a structural building frame to interconnect a beam's end with the side of an upright structural column. The beam-attaching end component which becomes attached to a beam end lies substantially in a plane which is transaxial (i.e., substantially normal) in relation to the associated beam's long axis, and is joined as by welding to a generally planar end expanse formed in a beam's end, with such an end expanse lying substantially in a transaxial plane that lies normal to the beam's long axis. Weld-material-receiving troughs are formed in the beam-attaching end component disclosed in this case, which troughs are intended to receive molten weld material which ultimately forms a secure union between a beam end and a beam-attaching end component.

Applicant's claims clearly call for this kind of structural arrangement – an arrangement which is not findable in any way in the cited and applied Kirkwood et al. reference.

That reference focuses attention on the making of a composite beam in which an elongate C-cross-section capping structure is bonded in some suitable fashion to and along a beam's flange. Nothing is attached to the end of a beam in the transaxial sense of applicant's invention. The Kirkwood et al. capping structure, and the described, associated beam structure, are formed from dissimilar materials and are not welded to one another. Thus, there is absolutely nothing in this reference which suggests the attaching of a beam-attaching end component, like that illustrated and described in relation to applicant's invention, and there is clearly nothing in the reference which becomes weld-attached through confronting transaxial interfaces that exist between the end of an elongate beam and an end component which forms an extension transaxially to the associated beam. The Examiner's reference to a location in the Kirkwood et al.

text which talks about welding describes weld-attaching of a Kirkwood et al. flange capping structures *to external wing skins in an aircraft*. No welding takes place between components collectively forming a composite, or hybrid, beam assembly like applicant's end-result beam assembly.

Claims 1 and 4, the two independent claims in this case, have been modestly amended to make even more clear the presence in the practice of applicant's invention of weld attachments that occur between beam ends and beam end attaching components via confronting transaxial expanses, and/or faces, that lie in planes which are substantially normal to the long axis of an associated beam.

For the reasons elaborated above, applicant submits that the Kirkwood et al. reference is clearly *not* an anticipating reference with respect to applicant's claimed invention, and respectfully requests favorable reconsideration of this application, and early allowance now of all claims in this case. If the Examiner has any questions regarding the amendment or remarks, the Examiner is invited to contact Attorney-of-Record Jon M. Dickinson, Esq., at 503-504-2271.

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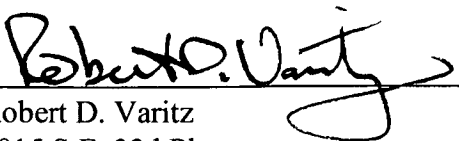
Respectfully Submitted,

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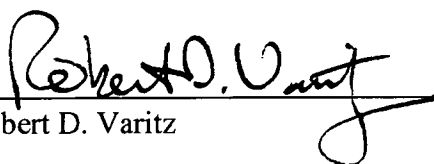
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I hereby certify that the attached Response to Office Action under 37 C.F.R. § 1.111 and a CHANGE OF CORRESPONDENCE ADDRESS/CUSTOMER NUMBER are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Washington, D.C. 22313-1450


Robert D. Varitz

Amendments to the Drawings

Please substitute for the three pages of Replaced Sheets of drawings which form a portion of the Appendix in this Amendment the three pages of Replacement Drawing Sheets which also form part of this same Appendix.

